

Official Minutes for Webb County Commissioners Court Meeting

Monday, February 24, 2003 at 1:30 P.M.
(With Corrections approved 03-10-2003 in parenthesis and bold)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County
Commissioners Court was held at 1:30 p.m. at the regular meeting place
with the following members present to wit:

Louis H. Bruni	County Judge
Judith Gutierrez	Commissioner, Pct. 2
Felix Velasquez	Commissioner, Pct. 3
David Cortez	Commissioner, Pct. 4

Not Present:
Jerry Vasquez Commissioner, Pct. 1

Thus constituting a quorum, the Commissioners Court proceeded to act
upon the Agenda as posted in the meeting notice of the 20th of February
2003. Present also were Ms. Nora Elia Prado, Deputy County Clerk
representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the
Commissioners Court, various officers and others interested in the
business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, County Clerk

- Item No. 3 Invocation – Cmr. Gutierrez

- Item No. 4 Pledge of Allegiance – Cmr. Velasquez

Judge Bruni requested a moment of silence on behalf of the sheriff's
grandson who passed away.

- Item No. 5 Approval of Minutes for Jan. 27, 2003 and Feb. 10, 2003

Cmr. Velasquez stated that on page 11, Item No. 20, it should state that
Cmr. Vasquez inquired as to the monies being spent on Cmr. Velasquez
furniture.

Cmr. Vasquez arrives.

Cmr. Gutierrez stated that on Item No. 35, "Agricultura" should state
"Agricultural." (As per the Agenda, the correct spelling is "Agricultura.")

There were no corrections from Cmr. Vasquez or Cmr. Cortez.

Comr. Gutierrez motioned to approve minutes of January 27, 2003 and February 10, 2003 with corrections. Comr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 7 Public Comment

Mr. Hector Farias, chairman of VIDA, was present to voice his concerns against the alleged censorship being shown by the Commissioners Court to the members of the community and the media. He also stated that he was against appointing either Comr. Velasquez or Comr. Cortez to be a part of the Webb County Appraisal District Board because the community deserves to have an objective person who will look out for the needs of others instead of looking out for themselves. Mr. Farias then began criticizing Comr. Velasquez, stating the commissioner would park in the handicapped parking slots and when his private business failed to pay government taxes, a federal lien was placed on his business as recorded in the County Clerk's Office. He asked how can the court expect citizens to pay their taxes when their elected officials don't. He also stated that Comr. Velasquez deceived the citizen's of Webb County by stating that the County would profit from sending inmates to Brooks County to make space for Federal prisoners when the County was barely breaking even from this endeavor. He stated that Comr. Velasquez should not have voted or pushed for this item due he is the independent auditor and it would be a conflict of interest. Judge Bruni stated that he would get together with Mr. Farias to speak with him in more detail about his concerns.

Constable Hinojosa was present to speak on Item No. 56.

Comr. Cortez motioned to move up Item No. 56. Comr. Vasquez seconded the motion and also requested Item No. 64, No. 51 and No. 52 as well. Judge Bruni stated that he would like to stay on the agenda as much as possible without moving up items repeatedly. Mr. Homero Ramirez stated that he would advise the Court not to bring up any items during the Public Comment section due it disrupted the public comments.

Judge Bruni entertained a motion to move all items to be discussed in Executive Session be moved to the end of the agenda.

Comr. Cortez motioned to move all Executive session items to the end of the agenda. Comr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Jose Carranco was present to discuss Item No. 55. Judge Bruni asked Mr. Carranco if he would wait until the item came up and Mr. Carranco agreed.

Mr. Bill Rogers was present to discuss Item No. 50. He was advised to wait until item came up. He understood.

Mr. Jesus Sanchez was present to discuss Item No. 9. He was advised to wait until item came up. He understood.

Mr. Cortez gave thanks to all members of the WBCA for the great celebration that they put on this year.

Item No. 6 Approval of bills, payroll and monthly reports

Judge Bruni reminded everyone that any information to be presented before the Court be submitted by 5:00 p.m. the Friday before the meeting.

Ms. Delia Perales, County Treasurer, was at hand to present side bills for court approval. Side bills totaled \$8760.89 and \$5177.54. Side bills that total \$8760.89 were deferred approval at last meeting.

Mr. Raul Casso, Chief of Staff, stated that he had some concerns on side bills that were to be approved due several of them were long overdue and the County therefore encountered late fees as well as leaving some vendors dissatisfied with the County itself and unwilling to do future business with the County. He stated that every department has contributed in some way to this problem and that this needed to be dealt with effectively. Mr. Velasquez stated that he appreciated the comments made by Mr. Casso and that his office has also received complaints from various vendors regarding the amount of time from when they provide services or equipment/materials and the time they get paid by the County and he would like the Court to form a committee to help the County figure out how to pay bills on time. He also requested that the Treasurer's office provide the Court with reconciled reports. Ms. Perales stated that reconciling bills are currently done through the Auditor's Office but she is willing to reconcile bills if that is the Court's request.

Mr. Gutierrez motioned to approve both sets of side bills. Mr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 8 Discussion and possible action to authorize the Purchasing Agent to purchase veteran's cemetery memorial bases from Standard Granite in the amount of \$5,504.00 for the Building Maintenance Department. [Account #001-0109-6401 Repair & Maintenance Building]

Mr. Eloy Ramirez, Purchasing Agent, stated that Mr. Raul Elizondo requested this item.

Cmr. Velasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5 to 0 by unanimous consent.

- Item No. 9 Discussion and possible action to authorize the Purchasing Agent to purchase (200) Two Hundred 96 Gallon Universal containers from Toter Incorporation in the amount of \$8,752.00 for the Road and Bridge Department. [Account #010-7002-6205 Materials and Supplies]

Cmr. Cortez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Mr. Jose Luis Sanchez stated that he came before the Court due many colonia residents were not receiving garbage pick-up services and were resorting to burning the trash that they had and he also wanted to commend the County deputies for ticketing those residents with excess garbage. He also stated that Road and Bridge is currently rendering garbage pick-up within the city limits to those residing on Old Milwaukee Road. Cmr. Gutierrez stated that this was due that there was a dispute with the City and the County as to which governmental entity the Old Milwaukee Road is a part of.

Motion carried 5 to 0 by unanimous consent.

- Item No. 10 Discussion and possible action to authorize the Purchasing Agent to purchase two-way communication systems specifically for Law Enforcement application for patrol units from Motorola, Inc. in the amount of \$33,830.67. [Account #315-2040-8801 Capital Outlay Local Law Enforcement Block Grant]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion with discussion.

Mr. Eloy Ramirez, Purchasing Agent, stated that system would not be purchased from Motorola, Inc. but from the Houston Galveston Area Council for about \$1000 less than from Motorola. Mr. Homero Ramirez stated that as long as the motion to approve the purchase of this item and that the price not exceed that which has been designated in the Agenda and budget, there should be no problem in awarding the sale to another vendor.

Motion carried 5-0 by unanimous consent.

- Item No. 11 Discussion and possible action to authorize the Purchasing Agent to purchase from IBM (14) Fourteen computers and (3) Three laser printers for the Community Action Agency Social Services in

the amount of \$16,259.83. [Account #920-4200-8402 Computer and Software Community Service Block Grant Fund]

Comr. Gutierrez motioned to approve item as submitted. Comr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 12 Discussion and possible action to authorize the Purchasing Agent to purchase foot wear from Gateway Uniforms in the amount of \$7,082.45 for the Road and Bridge Department. [Account #010-7002-6202 Uniforms]

Comr. Vasquez motioned to approve item as submitted. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 13 Discussion and possible action to authorize the Purchasing Agent to purchase two-way communication systems specifically for Law Enforcement application for vehicles from Motorola, Inc. in the amount of \$39,824.10. [Account #168-2001-8801 Capital Outlay – Sheriff State Forfeiture Funds]

Comr. Gutierrez motioned to approve item as submitted. Comr. Vasquez seconded the motion.

Mr. Eloy Ramirez, Purchasing Agent, stated that this system would also be purchased from Houston Galveston Area Council instead of Motorola, Inc. Mr. Homero Ramirez, County Attorney, stated that the same would apply as with Item No. 10.

Motion carried 5-0 by unanimous consent.

- Item No. 14 Discussion and possible action to authorize the Purchasing Agent to obtain services from Cervantes, Inc. for inspection, cleaning, repair and remodeling of all El Aguila Bus shelters in Rio Bravo and El Cenizo, Texas in the amount of \$7,992.00. [Account #980-4204-8801 Capital Outlay El Aguila Rural Transportation]

Comr. Vasquez motioned to approve item as submitted. Comr. Cortez seconded the motion with discussion.

Comr. Cortez inquired as to whether the County can go the same route as the city by placing advertisements on the bus shelters as a way to offset costs.

Motion carried 5-0 by unanimous consent.

Cmr. Vasquez inquired if all items must be read into the record or if items can just be identified by number. Mr. Homero Ramirez, County Attorney, stated that agenda items do not need to be read into the record as long as they are identified by agenda number and topic.

- Item No. 16 Discussion and possible action to award or reject the following proposal and bid:

P-2003-11 "Public Address Systems"

Recommendation: Southwest Sound and Electronics, Inc.
2323 Loop 410 N.W.
San Antonio, Texas 78230
[Account #696-1050-8801 Capital Outlay
Certificates of Obligation Series 2002]

Bid No.: 2003-27 "Dump Truck"

Recommendation: Fleetpride
1903 S. Highway 281
Alice, Texas 78332
[Account #696-6002-8801 Capital Outlay
Certificates of Obligation Series 2002]

- Item No. 17 Discussion and possible action to increase the salary for slot #417 (Executive Secretary/Office Manager) from \$36,267.00 to \$46,267.00 to be comparable with other Administrative Secretarial Positions. [Account #001-2060-5001 Payroll]

- Item No. 18 Discussion and possible action to authorize the Purchasing Agent to solicit request for proposals for the development of In-House monitoring procedures, including a financial impact assessment and project evaluation of all current County grants. Total cost not to exceed \$15,000.00. Funds are available from the Economic Development Department. [Account #001-0112-7205-24 Tax Base Study]

- Item No. 19 Discussion and possible action to enter a resolution and order requesting and amendment to Texas Department of Housing & Community Affairs Office of Colonia Initiatives, TCDP Contract #721003, Webb County Self-Help Center Project's Scope of Work in order to incorporate construction of new Self-Help Center Work Activity; modify program budget; revise environmental assessment and schedule public hearings. These changes will involve only Grant Funds, and authorizing County Judge to sign all relevant documents.

- Item No. 20 Discussion and possible action to enter a resolution and order authorizing the submission of the Texas Department of Housing and Community Affairs Housing Trust Fund/State Energy Conservation Office grant proposal for assistance in improving the energy efficiency of housing for low to moderate income families. Grant amount not to exceed \$45,000.00 with a dollar for dollar match from current Self-Help Center Program grant monies. [Match will not impact the County's General Fund Balance]

Cmr. Vasquez motioned to approve Item No. 16, No, 17, No, 18, No. 19 and No. 20. Cmr. Gutierrez seconded the motion.

Mr. Homero Ramirez, County Attorney, stated that Item No. 17 must include a line item transfer in the next agenda.

Motion carried **(5-0)** by unanimous consent to approve Item 16 through 20.

- Item No. 15 Discussion and possible action for the Commissioners Court to appoint Scoring/Selection Committee to evaluate request for proposals and request for qualifications.

Mr. Eloy Ramirez, Purchasing Agent, requested that the committee consist of the following persons: Raul Casso, Tomas Rodriguez, Jorge Flores, Homero Ramirez or Nathan Brad.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 21 Discussion and possible action to approve requests for refunds as recommended by the Tax Assessor Collector as follows:

- a. Lareta Corp
Reason: Account has been paid
Total Refund: \$1,164.44
- b. Chase Manhattan Mortgage Corp
Reason: Account has been paid
Total Refund: \$1,313.57
- c. The Laredo Morning Times
Reason: Payment made in error
Total Refund: \$3,399.70

- d. International Bank of Commerce
Reason: Clerical Error 25.25 (Correction on Value)
Total Refund: \$4,479.39
- e. Chase Manhattan Mortgage Corp.
Reason: Mortgage Company paid on wrong account
Total Refund: \$6,665.76

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Patricia Barrera, Tax Assessor Collector, stated that Item 21c should state Laredo National Bank instead of Laredo Morning Times.

- Item No. 22 Discussion and possible action to approve a budget increase and revised General Order, FY 2003, for the Meals on Wheels Program, in the amount of \$19,000.00. Additional funds acquired from the City of Laredo, Third Party Funding to be used to purchase bulk food. [Fund 952]
- Item No. 23 Discussion and possible action to approve a budget increase and revised General Order, FY 2003, for the CAA-Elderly Nutrition Program in the amount of \$20,000.00. Additional funds acquired from the City of Laredo, Third Party Funding to be used for space rental, bulk food and other operating expenditures. [Fund 955]
- Item No. 24 Discussion and possible action to approve a budget increase and revised General Order for the Community Action Agency Comprehensive Energy Assistance Program (CEAP), FY 2003, in the amount of \$51,000.00. Additional funds acquired from the Texas Department of Housing and Community Affairs to be used for Administration, Case Management and Direct Service expenditures. [Fund 911]
- Item No. 25 Discussion and possible action to approve payment for contracted labor services to Juan Rodriguez Construction, in the amount of \$10,065.00. [Account #911-4227-7018 Heating/Cooling Systems - Comprehensive Energy Assistance Program]
- Item No. 26 Discussion and possible action to transfer a 1992 Aerostar Van (Unit #82) from the Community Action Agency Rural Transportation Program to the Community Action Agency Social Services/Comprehensive Energy Assistance Program.

Item No. 27 Discussion and possible action to approve a budget increase in the amount of \$264.00 for the Community Action Agency Weatherization Program. Additional funds acquired from the Department of Energy and the Texas Department of Housing and Community Affairs to purchase Weatherization Material and Supplies. [Fund 912]

Item No. 28 Discussion and possible action to fill the following slots:

- a. Slot #2014, Weatherization Clerk at \$8.25 per hour effective February 24, 2003. [Account #916-4228-5001 Weatherization Grant – Payroll]
- b. Slot #1793, Social Services Clerk/Part-time at \$7.50 per hour effective February 24, 2003. [Account #920-4200-5001 Community Social Services Block Grant - Payroll]

Item No. 29 Discussion and possible action to fill the following slots:

- a. Slot #2040, full-time AA Teacher Assistant in the amount of \$16,800.00 effective February 25, 2003.
- b. Slot #2043, full-time CDA Teacher Assistant in the amount of \$13,960.00 effective February 25, 2003.

[Account #903-4208-5001 Payroll]

Comr. Vasquez motioned to approve Item No. 22, No. 23, No. 24, No. 25, No. 26, No. 27, No. 28 and No. 29 as submitted. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 30 Discussion and possible action to approve payment for IBNR (incurred but not reported) medical health claims for the following:

Provider	Claim #	Date of Service	Payment
MRMC	99-088-00047-01	05/30/99-06/29/99	\$523.26
MRMC	99-088-00047-02	07/27/99-07/30/99	\$926.91
MRMC	99-088-00047-03	08/12/99-08/17/99	\$855.36
MRMC	99-088-00047-04	08/31/99-08/31/99	\$427.68

[Account #816-0105-9201 Claims Paid Health Insurance]

Comr. Gutierrez motioned to approve item as submitted. Comr. Vasquez seconded the motion.

Ms. Juanita Puente, Risk Manager, stated that claims were audited and reviewed by an independent firm as well as her office and that none of these were paid by the former third party administrator.

Motion carried 5-0 by unanimous consent.

- Item No. 31 Discussion and possible action to authorize the County's Risk Manager to adjudicate claims for IBNR (incurred by not reported) medical health claims and establish limits of that authority.
- Item No. 32 Discussion and possible action to solicit request for proposals for a managed health care plan, managed prescription drug program, group life insurance, and group Accidental Death & Dismemberment insurance to be effective October 1, 2003.
- Item No. 33 Discussion and possible action to enter into a Professional Service Agreement with Tricor Management Group, Inc., for consultation services for Webb County with reference to Request for Proposals for a managed health care plan, managed prescription drug program, group life insurance and group Accidental Death & Dismemberment insurance. [Account #817-0105-6022 Professional Services Workers Compensation]

Comr. Gutierrez motioned to approve Item No. 31, No. 32 and No. 33 with discussion. Comr. Vasquez seconded the motion.

Comr. Gutierrez inquired as to the amount being charged for Item No. 33. Ms. Puente stated the amount would be \$8,500.00

Motioned carried 5-0 by unanimous consent.

- Item No. 34 Discussion and possible action to enter into an Automated Clearing House Agreement with Commerce Bank to provide ACH electronic fund entry services concerning Webb County Depository Accounts (Payroll-Direct Deposit) through the various clearing house associations, affiliated banks, and Federal Reserve Bank at no cost to Webb County and to allow the County Judge to execute all relevant documents.
- Item No. 35 Discussion and possible action to enter into a one (1) year agreement (February 24, 2003 through February 29, 2004) with Mercy Regional Medical Center to provide ambulatory health services to rural Webb County residents through the use of a mobile medical van and authorizing the County Judge to sign all relevant documents. Requested by Indigent Care Assistance Department. [Account #001-4101-918 Mobile Clinic Driver]

- Item No. 36 Discussion and possible action to enter into an Adoption Agreement of the Texas Public Entity Group Interlocal Agreement Self-Insurance League which will allow Webb County to benefit from the Texas Public Entity Group coverage and reinsurance with St. Paul Fire and Marine Insurance Company which is Webb County's current Property/Casualty/Liability Insurance Carrier and to allow the County Judge to sign all relevant documents.
- Item No. 37 Discussion and possible action to enter into a (2) year (March 1, 2003 through February 28, 2005) maintenance agreement with THYSSENKRUPP for maintenance of one Dover elevator located at the Webb County Sheriff's Administration Building at the rate of ONE HUNDRED AND TWENTY-FIVE DOLLARS (\$125.00) PER MONTH for a total of THREE THOUSAND DOLLARS (\$3,000.00) over the term of the agreement and authorizing the County Judge to execute all relevant documents.
- Item No. 38 Discussion and possible action to designate a funding source for the purchase of the Tex-Mex property, being lots 1,2,3 and 4 and the approximate south one-half lots of 5 and 6, block number 197, Western Division, City of Laredo, as requested by the Webb County Auditor, Leo Flores.

Comr. Cortez motioned to approve Item No. 34, No. 35, No. 36, No. 37 and No. 38 with discussion on No. 35. Comr. Gutierrez seconded the motion with discussion on No. 38.

Comr. Cortez inquired as to whether budget allowed for approval of services to be rendered into the next fiscal year. Mr. Raul Casso, Chief of Staff, stated that though Mercy provided the vehicle, the equipment, the medical personnel, the County has been responsible for maintenance, fuel and providing a driver for the mobile clinic. He stated that this had been a "handshake" deal between Mercy and the former administration. Homero Ramirez, County Attorney, stated that the fuel and maintenance had been paid out of the County Judge's budget and the driver's salary had been paid from the County Indigent Services Program. He stated that the purpose of this item was to formalize the agreement through a contract. He also stated that the formal contract reflects the current agreement.

Motion carried 5-0 by unanimous consent.

- Item No. 39 Discussion and update regarding pending litigations. **[Closed Session requested pursuant to Texas Open Meeting Act 551.071 (Consultation with Attorney)]**

Judge Bruni stated that this item was to be discussed in Executive Session.

- Item No. 40 Discussion and possible action to issue "Certifications Regarding Compliance with PLAT Requirements and the Connection of Utilities" to authorize utility connections to the following properties:

Connection(s) qualifying under Section 232.029 (i)

1. Lot 8, Block 3, San Carlos Phase I
Subdivision, (electricity – one dwelling only)
2. Tract 3, Ranchitos Los Centenarios Subdivision,
(Electricity – one dwelling only)

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent

- Item No. 41 Discussion and possible action to approve a line item transfer in the amount of \$2,900.00 from account #001-1120-6205, Material and Supplies, to account #001-1120-6011, Training and Education.

Cmr. Cortez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion with approval from the County Attorney.

Homero Ramirez, County Attorney, stated that this matter is at the discretion of the Commissioners Court.

Motion carried 5-0 by unanimous consent.

Mr. Homero Ramirez, County Attorney, advised the Court to return to Item No. 38 in regards to the \$1,500.00 earnest money contract.

- Item No. 38 Discussion and possible action to designate a funding source for the purchase of the Tex-Mex property, being lots 1,2,3 and 4 and the approximate south one-half lots of 5 and 6, block number 197, Western Division, City of Laredo, as requested by the Webb County Auditor, Leo Flores.

Cmr. Cortez inquired as to where the money for this endeavor would be coming from and the total amount for this project. Mr. Ramirez, County Attorney, stated that the total cost would be approximately \$1,300,000.00 plus closing costs. Mr. Leo Flores, County Auditor, stated that the money would come from the Fund Balance and bond monies would then be used to reimburse the Fund Balance. Cmr. Gutierrez stated that the purpose of this purchase was for additional parking for County employees and visitors. Cmr. Velasquez inquired if the Court's intent was to fund this item from future bond monies. Mr. Flores stated

that the Court must state its intent to reimburse the Fund Balance. Mr. Ramirez stated that the Court could designate the General Fund as the fund source or pay \$1,500.00 in earnest monies and the remainder at closing. Judge Bruni stated that the court couldn't allow the fund balance to drop below 15%. Cmr. Gutierrez asked the court to withdraw the \$1,500.00 needed for the earnest monies from the fund balance. Mr. Ramirez stated that if the court at a later date chose to not go through with the purchase, the County would lose the \$1,500.00 from earnest monies. Mr. Raul Casso, Chief of Staff, advised the Court that the fund balance was at the 15% threshold level.

Cmr. Gutierrez motioned to defer item until further information can be provided. Cmr. Cortez seconded the motion.

Motion carried 5-0 to defer item.

- Item No. 42 Discussion and possible action authorizing the Conveyance of a Primary Power Line R.O.W. 20 foot by 1,700-foot easement to Medina Electric Cooperative Inc., for the purpose of extending their power line to provide electrical service to the temporary morgue located at the Old Detention Center. [Account #676-8101-8601 Construction in Progress Certificates of Obligation Series 2001]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 43 Discussion and possible action approving a resolution recommending to the Texas Department of Transportation managing the Border Access Colonia Paving Program to re-designate the funds from Ranchito Los Arcos and Las Pilas Unit I & II on U.S. Highway 59 to the Colonias of Bruni and Mirando City.

- Item No. 44 Discussion and possible action to authorize the Purchasing Agent to advertise for Engineer "Request for Proposals" for Carrizo Wilcox Aquifer Study Phase II. [Account #688-0118-6022 Professional Services Certificates of Obligation Series 2002]

- Item No. 46 Discussion and possible action to fill the following slots:
- a. Slot #1533, Operator II, at \$10.88 per hour for the Utilities Department. [Account #81-3004-5001 Payroll]
 - b. Slot #1993, Welder/Water Dispenser Technician, at \$10.26 per hour for Road and Bridge Department. [Account #010-7001-

5001 Payroll]

- c. Slot #049, Motor Pool Manager, at \$1,400.32 bi-weekly for the Vehicle Maintenance Department. [Account #001-0108-5001 Payroll]

Cmr. Gutierrez motioned to approve Item No. 43, No. 44 and No. 46.
Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent to approve Item No. 43, No. 44 and No. 46

- Item No. 45 Discussion and possible action to authorize the Purchasing Agent to advertise for Engineer/Architect "Request for Proposals" for the New County Medical Examination Facility (Morgue). [Account #676-8101-8601 Construction in Progress Certificates of Obligation Series 2001]

Cmr. Gutierrez motioned to table Item No. 45. Cmr. Vasquez seconded the motioned.

Motion carried 5-0 by unanimous consent to table Item No. 45

- Item No. 47 Discussion and possible action to form an Oil and Gas Review Committee.

Judge Bruni stated that he would like to form a committee to inform the Court as to oil and gas companies in our area. He stated that the following would comprise the committee: Rhonda Tiffman, Raul Casso, Tomas Rodriguez, 2 Commissioners and himself.

Cmr. Velasquez motioned to appoint Cmr. Gutierrez and Cmr. Cortez as part of the committee. Cmr. Cortez seconded the motion with Cmr. Vasquez and Cmr. Velasquez as alternates in the event either Cmr. Gutierrez or himself are unable to attend.

Motion carried 5-0 by unanimous consent.

- Item No. 48 Discussion and possible action on a resolution to exempt Laredo Masonic Lodge #547 AF & A M from County Road and Bridge property taxes.

Cmr. Cortez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 49 Discussion and possible action to approve a resolution for International Vapor Power Corporation.

Cmr. Velasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 50 Presentation by Texas Government on Line

Mr. Bill Rogers and Ms. Stephanie Grimsley were in attendance for a presentation by Texas Government Online services. Mr. Rogers stated that this would allow attorneys to file petitions and other legal documents as well as pay for these recordings online via a credit card or other method of on-line payment. He advised Court that County would receive entire amount charged by each department and the only additional charge to consumer by Texas Government Online would be a fee to use the service, which would be paid to Texas Government Online.

No action on this item due it was a presentation.

- Item No. 51 Discussion and possible action by resolution of the Webb County Commissioners Court to call for the recall of the County's member on the Webb County Appraisal District Board of Directors and to cast all of Webb County's 932 votes to recall the County's member on the Webb County Appraisal District Board of Directors as per Section 6.033 of the Texas Property Tax Code.

- Item No. 52 Discussion and possible action by resolution of the Webb County Commissioners Court to nominate a candidate for the Webb County Appraisal District Board of Directors as a result of the recall of the County's member and to cast all of the Webb County's 932 votes for Commissioner Felix Velasquez as Webb County's new member to the Webb County Appraisal District Board of Directors for the remainder of the 2002-2003 term as per Section 6.033 of the Texas Property Tax Code.

Cmr. Cortez motion to table item No. 51. Cmr. Gutierrez seconded the motion.

Motion carried **(4-0) with Cmr. Velasquez not present for voting** to table Item No. 51

Due Item No. 51 was tabled, there was no action on Item No. 52.

- Item No. 53 Discussion and possible action on the following items:

- a. Juarez, et al vs. Webb County, et al, No 2001CVQ001273D2, 111th Judicial District, Webb County, Texas
- b. Overpayment of Judicial Salary

[Closed Session requested pursuant to Texas Open Meeting Act 551-071 (Consultation with Attorney)]

- Item No. 54 Status report on the acquisition of real property by the City of Laredo from Webb County out of the Casa Blanca County Club Tract. **[Closed Session requested pursuant to Texas Open Meeting Act 551.071 (Consultation with Attorney)]**

Judge Bruni stated that Item No. 53 and No. 54 would be discussed in Executive Session.

- Item No. 55 Discussion and possible action approving the Youth Village Committee's recommendation of L.I.F.E. Downs as the designated site for the construction of the Youth Village Detention Center and to authorize the appropriate departments to initiate the following:
- a. Authorize the Office of the County Attorney to negotiate with the L.I.F.E. Board to designate a parcel of L.I.F.E. Downs for the Youth Village Detention Center.
 - b. Authorize the County Engineer and the Planning Department to initiate platting procedures for the Youth Village property located at L.I.F.E. Downs.
 - c. Authorize the County Purchasing Agent to advertise for proposals for a construction manager-at-risk for the Youth Village Detention Center and the appointment of an Evaluating Committee.

County Court at Law No. 2 Judge Jesus Garza presented the recommendation of the committee formed by the Court to research and propose a site for the Youth Village Detention Center. The committee consisted of the Justices of the Peace, two District Judges, and various members of the community. The committee's recommendation from the sites that were suggested is the area around LIFE Downs. J.P. Hector Liendo requested the Court also consider including or adding a Boot Camp facility at the Youth Village in future budget hearings. He had a petition signed by over 800 families requesting this service due there is no local boot camp facility for youths. Cmr. Gutierrez stated that the Court would need to look at costs and possible funding sources before committing to a boot camp facility. Judge Garza also presented Ms. Isabel Mendez from the Laredo Animal Protective Society who

stated that her office is very excited to move to the LIFE Downs area after spending many years at the present location due to the tremendous need that unwanted and abandoned animals face each day. Mr. Adam Rodriguez and Javier Montemayor, Jr. stated their support of this location for the Youth Village Detention Center. Cmr. Gutierrez thanked Judge Garza, who has been pursuing this project for the past 10 years. Mr. Cheno Carranco stated that he was unaware that the decision for the new youth village had already come this far. He stated that he was recommending the former Mercy Hospital for this project due it was already built, including dining and food preparation facilities.

Cmr. Gutierrez motioned to accept the committee's recommendation. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent to accept the area around LIFE Downs as the committee's recommendation for the Youth Village Detention Center.

- Item No. 56 Presentation by Constable Precinct 1, Raul Hinojosa, on acquiring Law Enforcement Vehicles through Government Acquisitions, Inc.

Constable Raul Hinojosa, Pct. 1, was in attendance to inform the County as to acquiring vehicles through Government Acquisitions. He stated that as per the information that he has received from them, the County would lease vehicles from them at \$1.00 a year for three years, at the end of which the vehicle would be traded in for another vehicle. The vehicles would contain advertisements from sponsoring agencies. The advertisements would not promote alcohol, tobacco, gaming, firearms or any other inappropriate sponsorship. Constable Hinojosa stated that approximately 58 vehicles total are being requested by the various constable's and the Sheriff's Department. Sheriff Juan Garza stated his support for this program. Constable Hinojosa stated that he would bring any other information he receives to the Court's attention.

No action due this was a presentation.

- Item No. 57 Discussion and possible action to reclassify and/or reassign the Road and Bridge Superintendent, and to appoint an interim superintendent. **[Closed Session requested pursuant to Texas Open Meeting Act 551.071 (Consultation with attorney) and 551.074 (personnel matters)]**

Judge Bruni stated that item No. 57 would be discussed in Executive Session.

- Item No. 58 Discussion and possible action to assign additional responsibilities to the Community Center Director, Slot #001-099-2063, including but not limited to, the appointment as the Community Liaison for the coordination of road and drainage improvement projects under

the Border Colonias Access Program as currently funded for the areas of Bruni, El Cenizo, Mirando and Rio Bravo as well as all future project area(s); authorization to approve an adjustment in salary in the amount of \$12,017 for a total annual salary of \$48,000; line-item transfer of \$12,017 from existing budgeted funds available in the Road & Bridge Department's surplus payroll monies resulting from vacancies, leave without pay and similar issued that result in payroll savings; and any matter incident thereto.

Comr. Gutierrez motioned to approve item as submitted. Comr. Cortez seconded the motion.

Comr. Gutierrez advised Court that this salary increase would have no effect on the General Fund. Ms. Sara Jo Valdez, Constituent Relations Officer, stated that she is in favor of salary increase for Mr. Martinez, Community Center Director, because of his professionalism and the extra duties being assigned to him. Comr. Vasquez advised the Court to be cautious in granting this raise because with this increase, Mr. Martinez salary would double in the 18 months that he has been in that position. Comr. Cortez stated that this is not about just raising his salary but about compensating Mr. Martinez for the extra duties to be assigned to him. Comr. Velasquez stated that he voted against item and position in October when position was created and that even though Mr. Martinez is very qualified, the County cannot have employees stating that if the county does not pay them what they want, they will walk. Comr. Cortez withdrew second pending more information on this item. Judge Bruni recommended deferring item to next agenda so that more information can be presented to the Court. Comr. Velasquez stated that Road and Bridge funds should be used for County roads, not for a salary increase. Comr. Vasquez stated that Mr. Martinez approached him and stated that unless the Court approved his salary increase, he would resign from the County. Mr. Leo Flores, County Auditor, stated that if funds could be found in other accounts if the court deems it necessary. Mr. Tomas Rodriguez stated that the funds are coming from the Engineering Department under Road and Bridge and would not affect the funds set aside for County roads. Comr. Gutierrez stated that the only other choice would be the General Fund. If item is deferred, she stated that she was willing to work with the judge to figure out an agreement.

Comr. Cortez motioned to defer item pending more information. Comr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent

- Item No. 59 Discussion and possible action to assign an existing county vehicle or provide funding for local mileage to the Community Center Director as necessary to enable the Director to perform duties assigned by the Commissioners Court; funding for this purpose

should be secured from existing budgeted funds within the Road and Bridge Department.

Item deferred with Item No. 58

- Item No. 60 Discussion and possible action on the intergovernmental agreement with the City of Laredo to acquire land in North Laredo to construct a City/County Park. Funding source Bond Money for 2001 and 2002, \$625,000 earmarked for the North Laredo Park.

Comr. Velasquez stated that the monies from 2001-2002 Bond series would be used to build parks with \$625,000.00 earmarked for a park in north Laredo. Mr. Leo Flores, County Auditor, reminded Court that they had committed \$300,000.00 for the dredging of Lake Casa Blanca, with \$150,000.00 being reimbursed by the City of Laredo. He stated that the \$625,000.00 set aside for each commissioner for parks was reduced by \$37,500.00 to cover this project. Comr. Gutierrez stated that the funds for the dredging project were not from the Commissioners park funds.

Comr. Velasquez motioned to approve item as submitted. Comr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 61 Discussion and update report on the status of the 5th Bridge Project. **[Closed Session requested pursuant to Texas Open Meeting Act 551.071 (Consultation with attorney)]**

Judge Bruni stated that Item No. 61 was to be discussed in Executive Session.

- Item No. 62 Discussion and possible action to approve \$10,000 of third party funding for the Webb County Food Bank. The funding source will be General Fund Balance.

Mr. Homero Ramirez, County Attorney, stated that the Court had the authority and directive to approve this item. Mr. Raul Casso, Chief of Staff, advised Court to not tap into the fund balance unless it is absolutely necessary due it is already at the 15% threshold. Mr. Jesus Cantu, Veteran's Office Director, stated that the food bank a great aid for the veterans that are assisted by the Veteran's Office. He stated that if a veteran or widow (er) has not received their monthly sustenance check, the Food Bank would provide them with emergency rations of food. Comr. Gutierrez stated that there are many pantries in Webb County and that if funding is not approved, the Food Bank will still provide services. Comr. Cortez stated that if the monies could be found for new positions and salary increases, then monies could be found for food.

Cmr. Velasquez motioned to approve item as submitted. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 63 Discussion and possible action to appoint a new committee to study the parking situation at the Webb County Justice Center, Administration Building and Courthouse.

Cmr. Gutierrez motioned to approve item as submitted and appointing Cmr. Velasquez as a member of this committee. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 64 Discussion and possible action to approve mandatory drug testing for all members of the Commissioners Court.

Cmr. Velasquez stated that he believed that the Court should set an example for the employees by self-imposing drug testing on members of the Court. Homero Ramirez, County Attorney, stated that this item places an unconstitutional burden as well as an invasion of privacy and personal rights. He stated that mandatory drug testing is illegal and recommends the court defer the item. Judge Bruni stated that if drug testing is demanded for employees and for children in school-activities, why not elected officials. Mr. Ramirez stated that under limited circumstances, drug testing could be done. Judge Bruni stated that he will follow the advise of County Attorney and item will be tabled.

Item tabled as per Judge Bruni

- Item No. 65 Discussion and possible action on amending the 2002 Bond Issue Capital Outlay requests.

Cmr. Velasquez motioned to defer item. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent to defer item.

Cmr. Vasquez stepped out.

Cmr. Gutierrez motioned to move into executive session to discuss Item No. 39, Item No. 53, Item No. 54, Item No. 57 and Item No. 61. Cmr. Cortez seconded the motion.

Motion carried 4-0 with Cmr. Vasquez not present for voting.

EXECUTIVE SESSION (4:57 p.m. to 5:02 p.m.)

Call to order by Judge Bruni.

Judge Bruni stated that no action was taken on Item No. 39, Item No. 54, Item No. 57, and Item No. 61 during executive session.

Cmr. Gutierrez motioned to rescind motion to defer Item No. 58 and Item No. 59. Cmr. Cortez seconded the motion.

Item No. 58 Discussion and possible action to assign additional responsibilities to the Community Center Director, Slot #001-099-2063, including but not limited to, the appointment as the Community Liaison for the coordination of road and drainage improvement projects under the Border Colonias Access Program as currently funded for the areas of Bruni, El Cenizo, Mirando and Rio Bravo as well as all future project area(s); authorization to approve an adjustment in salary in the amount of \$12,017 for a total annual salary of \$48,000; line-item transfer of \$12,017 from existing budgeted funds available in the Road & Bridge Department's surplus payroll monies resulting from vacancies, leave without pay and similar issued that result in payroll savings; and any matter incident thereto.

Item No. 59 Discussion and possible action to assign an existing county vehicle or provide funding for local mileage to the Community Center Director as necessary to enable the Director to perform duties assigned by the Commissioners Court; funding for this purpose should be secured from existing budgeted funds within the Road and Bridge Department.

Cmr. Gutierrez motioned to approve Item No. 58 and Item No. 59. Cmr. Cortez seconded the motion with an allowance of \$1,000.00 per month for mileage.

Motion carried 3-2 with Cmr. Vasquez and Cmr. Velasquez voting against.

Item No. 66 Adjournment

Cmr. Gutierrez motioned to adjourn meeting. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent to adjourn meeting.